

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

ROBERT A. LOUDERMILK,

Plaintiff,

vs.

STILLWATER MILLING COMPANY, an
Oklahoma corporation, and WILLIAM
GLENN, an individual,

Defendants.

Case No. 07-CV-118-TCK-FHM

ORDER

The following motions are before the undersigned United States Magistrate Judge for decision: Defendant's Motion to Strike Docket #97, [Dkt. 98]; Plaintiff's Motion for Order Expanding Reply Brief Limitation Regarding Docket #97, [Dkt. 101]; and Plaintiff's Motion to Amend Docket #97, [Dkt. 102].

Plaintiff filed a reply brief of 16 pages which exceeds the 10 page limitation contained in LCvR 7.2(h) for a reply brief. Defendant asks that the brief be stricken. [Dkt. 98]. Plaintiff asks that the page limitation be expanded to allow his brief to be considered [Dkt. 101], or alternatively that the Court permit him to substitute a brief of a length that conforms to LCvR 7.2(h). [Dkt. 102].

The Court notes that, aside from the bare fact that the brief does not conform to the Local Rule, Defendant does not claim any unfairness flows therefrom. On the other hand, Plaintiff claims the reply brief cannot be pared down without losing meaningful content.

The parties are expected to be familiar with and to follow the Local Rules. However in this case where there has been no assertion of prejudice flowing from the filing of a brief outside the page limitation, nothing would be gained by striking the non-confirming brief to

require the filing of a different one. Therefore, Defendant's Motion to Strike Docket #97, [Dkt. 98] is DENIED; Plaintiff's Motion for Order Expanding Reply Brief Limitation Regarding Docket #97, [Dkt. 101] is GRANTED; and Plaintiff's Motion to Amend Docket #97, [Dkt. 102] is DENIED as MOOT.

SO ORDERED this 10th day of July, 2008.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE